

Notice of Allowability	Application No.	Applicant(s)	
	10/679,920	TERRELL, STEVEN J.	
	Examiner	Art Unit	
	Andrea M. Valenti	3643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 17 August 2005.
2. ☒ The allowed claim(s) is/are 1,5-12,14,18,22-25,27-32,36-42,44,46,55-57,60-66,68,69,72 and 73.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|---|--|

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Terril Lewis on 19 October 2005.

The application has been amended as follows:

Claim 1, line 3, "a plurality of parallel saw blades affixed along a saw arm for trimming the vegetation;" was changed to --a saw arm having a top, a bottom, sides and ends; a plurality of parallel saw blades affixed along a side of the saw arm for trimming the vegetation, wherein the saw blades each have an axis of rotation perpendicular to the side of the saw arm;--

Claim 1, line 10, "below a top and bottom" was changed to --below the top and bottom--

Claim 18, line 3, "an elongated arm" was changed to --an elongated saw arm--

Claim 18, line 5, "the elongated arm for trimming vegetation; and" was changed to --the elongated saw arm for trimming vegetation, wherein the saw blades each have an axis of rotation perpendicular to the side of the elongated saw arm; and--

Claim 18, line 6, "the top or bottom of the elongated" was changed to --the top and bottom of the elongated saw--

Claim 18, line 11, "the top and bottom of the elongated" was changed to --the top and bottom of the elongated saw--

Claim 18, line 13, "wherein the nozzles are formed on the top and bottom of the elongated arm," was deleted

Claim 18, line 15, "the top and bottom of the elongated" was changed to --the top and bottom of the elongated saw--

Claim 22, line 2, "elongated arm" was changed to --elongated saw arm--

Claim 23, line 2, "elongated arm" was changed to --elongated saw arm--

Claim 24, line 2, "elongated arm" was changed to --elongated saw arm--

Claim 25, line 2, "elongated arm" was changed to --elongated saw arm--

Claim 27, line 2, "elongated arm" was changed to --elongated saw arm--

Claim 28, line 2, "elongated arm" was changed to --elongated saw arm--

Claim 29, line 1, "elongated arm" was changed to --elongated saw arm--

Claim 30, line 1, "elongated arm" was changed to --elongated saw arm--

Claim 32, line 6-7, "a plurality of parallel saw blades affixed along a saw arm for trimming the vegetation; and" was changed to --a saw arm having a top, a bottom, sides and ends, a plurality of parallel saw blades affixed along a side of the saw arm for trimming the vegetation, wherein the saw blades each have an axis of rotation perpendicular to the side of the saw arm; and--

Claim 32, line 14, "below a top and bottom" was changed to --below the top and bottom--

Claim 55, line 3-4, "trimming the vegetation with a plurality of parallel saw blades, wherein the saw blades reside in series along a saw arm; and" was changed to --trimming the vegetation with a plurality of parallel saw blades, wherein the saw blades reside in series along a saw arm having a top, a bottom, sides, and ends, wherein the saw blades each having an axis of rotation perpendicular to a side of the saw arm; and-

Claim 55, line 10, "below a top and bottom" was changed to --below the top and bottom--

Allowable Subject Matter

Claims 1,5-12,14,18,22-25,27-32,36-42,44,46,55-57,60-66,68,69,72 and 73 allowed.

The following is an examiner's statement of reasons for allowance:

Cited references U.S. Patent No. 4,291,492; U.S. Patent No. 5,143,131 A; U.S. Patent No. 5,050,303; U.S. Patent No. 6,125,621 A; U.S. Patent No. 6,439,279 B1; U.S. Patent No. 4,926,622; U.S. Patent No. 5,426,854 A; U.S. Patent No. 5,987,862 A; U.S. Patent No. 5,503,201 A; U.S. Patent Pub. No. 2004/0045166 A1; U.S. Patent No. 3,017,121; U.S. Patent No. 5,501,257 A; U.S. Patent No. 5,220,773 A; U.S. Patent No. 6,497,088; U.S. Patent No. 2,878,633; PCT WO 9304574A1; U.S. Patent No. 6,643,933; U.S. Patent No. 5,329,752 teach combined trimming and chemically treating apparatuses for vegetation with saw arms, saw blades and nozzles in the saw arm for administering herbicides (e.g. chain saws with nozzles that spray perpendicular not parallel to the saw blades).

The prior art of record all fails to show, and fails to make obvious, either alone and/or in combination that the saw arm has a plurality of parallel saw blades along a side of the saw arm and nozzles on the saw arm that spray chemical treatment parallel with the saw blade, that the chemical treatment is blocked in part by the saw blade so that some amount of the chemical treatment is sprayed onto the saw blade, that the nozzles are formed on the top and bottom of the saw arm and that the nozzles are flush with the top and bottom of the saw arm. The examiner's amendment was made to clarify the orientation of the saw blades on the saw arm, i.e. that the saw blades are on the side of the saw arm whereas the nozzles are on the top and bottom and that the axis of rotation of the saw blades is perpendicular to the side of the saw arm.

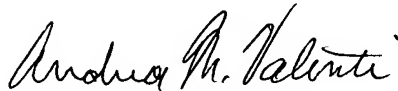
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrea M. Valenti whose telephone number is 571-272-6895. The examiner can normally be reached on 7:00am-5:30pm M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Poon can be reached on 571-272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3643

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Andrea M. Valenti
Patent Examiner
Art Unit 3643

19 October 2005



Peter M. Poon
Supervisory Patent Examiner
Technology Center 3600